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Dated: November 20, 2003

Signature:

(Marco Jimenez)

Docket No.: 393032029600  
Client reference: WY-655-US (H7548US)  
(PATENT)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Satoshi MIYAKE

Application No.: 10/032,607

Group Art Unit: 2837

Filed: December 27, 2001

Examiner: Jeffrey Donels

For: MUSIC DATA PERFORMANCE SYSTEM  
AND METHOD, AND STORAGE MEDIUM  
STORING PROGRAM REALIZING SUCH  
METHOD

**AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION**

MS Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

In response to the Office Action dated August 20, 2003, for which a response is due on November 20, 2003, please amend the above-identified U.S. patent application as follows:

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## **SUMMARY OF AMENDMENTS**

### **SPECIFICATION**

       There are no amendments to the specification.

  X   Marked up replacement(s) paragraphs are presented in a separate section.

### **CLAIMS**

       There are no amendments to the claims.

  X   A complete listing of all claims ever present in this case in ascending order with status identifier is presented in a separate section.

41

11-24-03

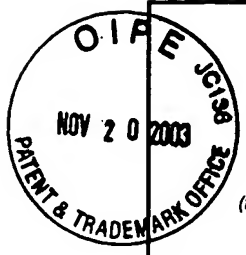
2837

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

|  |   |                        |                   |
|--|---|------------------------|-------------------|
|  |   | Application Number     | 10/032,607        |
|  |   | Filing Date            | December 27, 2001 |
|  |   | First Named Inventor   | Satoshi MIYAKE    |
|  |   | Art Unit               | 2837              |
|  |   | Examiner Name          | Jeffrey Donels    |
| Total Number of Pages in This Submission | 1 | Attorney Docket Number | 393032029600      |

## ENCLOSURES (Check all that apply)

|  |  |   |
|--|--|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Postcard |
| <div style="float: right; text-align: center;">             RECEIVED<br/>             DEC - 2 2003<br/>             TECHNOLOGY CENTER 2800           </div>  |  |   |
| <div>Remarks</div>   |  |   |

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|                         |   |
|-------------------------|---|
| Firm or Individual name | Mehran Arjomand - 48,231<br>MORRISON & FOERSTER LLP<br>555 West Fifth Street, Los Angeles, CA 90013 |
| Signature               |   |
| Date                    | November 20, 2003   |

|   |                             |
|---|-----------------------------|
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| Dated: November 20, 2003  | Signature:  (Marco Jimenez) |